UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Claudia A Gabriele
(SSN: XXX-XX-8643)
Debtor.

Hearing Date: August 23, 2012
Hearing Time: 1:00PM
Hearing Location: Albany

Case No. 12-11658
Chapter 13

TRUSTEE'S OBJECTION TO CONFIRMATION

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York (the"Trustee") states the following as and for her objection to confirmation of the Chapter13 Plan. The Debtor filed the petition for relief on Jun 20, 2012. The Proposed Plan is as follows:

Start	**Periods**	**Amount**	**Type**
07/01/2012	60.00	$188.90	MONTHLY

The Trustee objects to the confirmation of the proposed plan and submits that the plan does not meet the requirements for confirmation under 11 U.S.C. 1322, 1325 as follows:

TAX RETURNS: Debtor has not filed all applicable tax returns as required for all tax periods ending during the 4 -year period ending on the date of filing, or has not provided required tax returns to the Trustee for review as follows:

-State and federal tax returns year(s): 2011

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Respectfully Submitted,

ANDREA E. CELLI, CHAPTER 13 TRUSTEE

By:/s/
Andrea E. Celli, Chapter 13 Trustee
7 Southwoods Blvd.
Albany, NY 12211
(518) 449-2045

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AFFIDAVIT OF SERVICE
Case No.: 12-11658

SHARON MCGUIRE, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF **TRUSTEE'S OBJECTION TO CONFIRMATION** DATED AUGUST 15, 2012 ON THE FOLLOWING MANNERS: ON AUGUST 15, 2012.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

CHRISTIAAN VAN NIEKERK
MAURITZ VAN NIEKERK, ATTY
202 UNION ST
SCHENECTADY, NY 12305

VIA REGULAR U.S. MAIL

Claudia A Gabriele
1148 Cutler Street
Schenectady, NY 12303

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ SHARON MCGUIRE
SHARON MCGUIRE

Sworn before me this
15th day of August, 2012

/s/ Sandra Spring
Reg. # 4955344
Notary Public - State of NY
Qualified in Rensselaer County
My Comission Expires 08/28/2013